

herein appropriated, unless satisfactory assurances are made to the Board of Control that the work described in the individual items of this Act can be completed with the funds specified for each such item respectively."

The amendment was adopted.

Senator Phillips offered the following amendment to the bill:

Amend S. B. No. 7 by striking out of Section 1 the following paragraph:

University of Texas, Dental Board, Houston. For completion of Dental School Building including architectural services, construction site, development, and equipment of building, \$1,187,000.

The amendment failed of adoption.

Senator Phillips asked to be recorded as voting "yea" on the adoption of the above amendment.

On motion of Senator Colson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 7 on Third Reading

Senator Colson moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 7 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moffett
Bell	Moore
Colson	Parkhouse
Corbin	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Nays—3

Latimer	Shireman
Phillips	

Absent

Ashley	Fuller
Bracewell	Russell

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Moffett
Bell	Moore
Colson	Parkhouse
Corbin	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Nays—1

Phillips

Absent

Ashley	Fuller
Bracewell	Russell

Absent—Excused

Weinert

Reason for Vote

I voted for Senate Bill No. 7 because the Governor has indicated in his message to the Legislature that there is eleven million dollars now available in the general revenue fund to take care of this appropriation.

I did not vote for the school teachers bill because a tax bill was necessary and I would not have voted for Senate Bill No. 7 had a tax bill been necessary to meet this appropriation.

WM. H. "BILL" SHIREMAN

Adjournment

On motion of Senator Kelley the Senate at 4:50 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

SIXTH DAY

(Wednesday, March 24, 1954)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis

Absent—Excused

McDonald Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator McDonald was granted leave of absence for today on account of important business, on motion of Senator Martin.

Senator Weinert was granted leave of absence for today on account of illness, on motion of Senator Martin.

Report of Standing Committee

Senator Martin submitted the following report:

Austin, Texas,
March 23, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred S. C. R. No. 1, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with the attached committee amendment and be printed.

MARTIN, Vice-Chairman.

Senate Concurrent Resolution Ordered Not Printed

Senator Kelley asked unanimous consent that S. C. R. No. 1 be not printed.

There was no objection offered.

Senate Resolution 13

Senator Ashley offered the following resolution:

Whereas, It has long been the practice and policy of the State of Texas and its Supreme Court to determine the eligibility and qualifications of candidates to take the bar examination and for admission to practice law in this State; and

Whereas, By order dated February 1, 1954, the Supreme Court adopted a rule prohibiting a person from taking the bar examination unless the law school from which he graduated has been approved by the American Bar Association Committee on Legal Education and Admission to the Bar; and

Whereas, This new policy purports, and is, a delegation of authority to an outside body with full power finally to determine whether citizens of Texas shall be permitted to take its bar examination or admitted to practice law in this State by either granting or withholding approval of a law school or schools in Texas; and

Whereas, It is believed that this departure in the long recognized public policy of this State should be repudiated and the responsibility heretofore reposed in the Supreme Court of Texas to determine such eligibility be restored to the Supreme Court of Texas and duly exercised by it; and, now therefore, be it

Resolved, by the Senate of Texas, That the Supreme Court be called upon to rescind its order of February 1, 1954, and that it resume its responsibility to determine the eligibility and qualifications of the citizens of Texas to take the bar examination and be admitted to practice law in this State without outside interference.

Ashley, Hardeman, Rogers of Travis, Sadler, Bracewell, Latimer, Strauss, Rutherford, Bell, Fuller, McDonald, Kazen, Aikin, Wagonseller, Moore, Corbin, Shireman, Willis, Parkhouse, Russell, Hazlewood, Lock, Colson, Rogers of Childress, Phillips, Kelley.

The resolution was read and was adopted.

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

S. C. R. No. 2, Relating to removal of Veterans Administration District offices from Texas and Georgia.

S. C. R. No. 5, Requesting survey for possibilities of Old Indianola as State Park and invitation to attend pilgrimage on May 16, 1954.

Senate Resolution 14

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have in the gallery Mrs. Edward Lee and her civics class of Cisco High School, Eastland County; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Wagonseller presented the class and Mrs. Lee to the Members of the Senate.

Presentation of Guests

Senator Strauss by unanimous consent presented twenty members of Texas Government Class of Blinn College Extension Course of Hallettsville, Texas, together with their teacher, Mr. Sid Stevenson to the Members of the Senate.

Senate Resolution 16

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the senior class of the Woodland High School of Mexia, Texas, Limestone County, accompanied by their sponsors, J. N. Curtis and Mrs. R. R. Wedgeworth; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Moore presented the students and their sponsors to the Members of the Senate.

Senate Resolution 17

Senator Willis offered the following resolution:

Whereas, We were honored on March 22, 1954, to have in the gallery of the Texas Senate Ben Ed Hale, Edwin Holdridge, David Dollahite, Rheba McDaniel, Mary F. Davis, Doris Slaton, Dorothy Baker, Mary Harles, Jo Ann Bowles, Stevie Cockrell, G. C. Kincheloe, Bonnie Harned, Bobbie Hubbard, Virginia Neil, Jo Carolyn Batson, Marlene Duncan, John Gaston, Lynda Neil, Gladys Hubbard, Bevelry Edwards, C. E. Watson, J. B. Bowles, Mike Fortenberry, Ramona Duncan, Susie Reiser, Lona Fay Slaton, Ann Ethridge, and Margaret Trammell, students of Benbrook Elementary School, Tarrant County, Texas, accompanied by B. W. Neil, Secretary of the School Board; Mrs. B. W. Neil; C. G. Edwards; Jack Vereen, Principal; and Myrtle Strother, Teacher; and

Whereas, These students and guests were on an educational tour of the State Capitol and the Capital City; and

Whereas, This fine class of young American citizens were here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That the Senate of the State of Texas officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senate Resolution 18

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the senior class of the Bremond High School, accompanied by their sponsors, Mrs. T. B. Carroll and Mr. Jack Arnold; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Moore presented the students and Mrs. Carroll and Mr. Arnold to the Members of the Senate.

Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
March 23, 1954.

To the Senate of the Fifty-third Legislature, First Called Session:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Judge of the Criminal District Court No. 1 of Harris County, to succeed Judge Frank Williford, Jr., deceased,

Edmund B. Duggan of Houston, Harris County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Committee Substitute Senate Bill 2 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment the following bill:

C. S. S. B. No. 2, A bill to be entitled "An Act making an appropriation for an increase in salaries of state officials and state employees for the period beginning with the effective date of this Act and ending on August 31, 1955, supplementing the salaries designated and/or provided for in H. B. 11, Acts of the Regular Session of the 53rd Legislature; and declaring an emergency."

The bill was read second time.

Senator Rogers of Travis offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 2 by substituting in Line 3, Section 2, Page 2, the word "shall" for the word "may" where it appears.

The amendment was adopted.

Senator Rogers of Travis offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 2 by adding in Article C, Page 1, an additional paragraph to read as follows:

"An increase of \$10 per month on each previous salary rate for positions under \$10,000 which are incorporated in this act shall be applied to all employees and ferryboat operators employed in connection with the Bolivar ferryboat crossing."

The amendment was adopted.

Senator Rogers of Travis offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 2 by adding the following at the end of sub-section (d) of Section 1 of said bill:

"Provided, however, that those employees of the Extension Service of the A & M College known as County Agents, Assistant County Agents, Home Demonstration Agents, and Assistant Home Demonstration Agents shall receive an increase of Ten Dollars (\$10.00) per month beginning September 1, 1954, from State funds."

The amendment was adopted.

Senator Rogers of Travis offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 2, Page 3, Section 4, by adding the following language beginning at the end of Section 4 after the word "agency":

Provided further that each State department or agency shall submit to the Comptroller the name of every employee regardless of his or her type of employment who otherwise comes under the provisions of this Act.

The amendment was adopted.

Senator Rogers of Travis offered the following amendment to the bill:

Amend Committee Substitute to Senate Bill No. 2, Section 1(b), Line 5 by deleting the first word in line 5 "permit" and substituting therefor the word "require."

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 2 by striking out the last sentence in Section 1-(d) on Page 1.

AIKIN
MOFFETT

The amendment was adopted.

Senator Phillips offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 2 by striking out all below the enacting clause, and substituting therefor the following language:

Section 1. The salary or wage paid each State official and employee shall be increased, effective September 1, 1954, by an amount which will provide each State official and employee with a net salary or wage increase of \$25 per month over the monthly salary or wage amount paid or authorized on August 31, 1953, subject to the conditions and exceptions hereinafter stated.

Sec. 2. Each State official and employee, other than those specifically excepted by the provisions of this Act, who received no increase in salary or wage subsequent to Aug. 31, 1953, shall receive from the appropriations hereinafter made the full amount of the \$25 per month increase required by this Act.

Any State official or employee, other than those specifically excepted by the provisions of this Act, who received subsequent to Aug. 31, 1953 a salary or wage increase of less than \$25 per month shall be paid from the appropriations hereinafter made such amount as to make his total monthly salary or wage during the fiscal year beginning Sept. 1, 1954 higher by \$25 than the salary or wage rate paid on Aug. 31, 1953.

Any State official or employee who received subsequent to Aug. 31, 1953 a salary or wage increase of \$25 per month or more shall not be entitled to nor receive any additional salary or wage increase from the appropriations made by this Act. It is further provided that none of the moneys appropriated by this Act shall be used to increase the salary or wage of any State official or employee by an amount that will cause his total salary or wage to exceed by \$25 per

month the salary or wage rate paid him as of Aug. 31, 1953.

Sec. 3. Notwithstanding the provisions of Sections 1 and 2 of this Act, the salaries of teachers in special schools of the State as specified in Article II, Chapter 81, Acts of the 53rd Legislature, Regular Session, and which are paid on or after September 1, 1954, shall comply with the minimum salary schedules under the Foundation School Program Act which the Legislature may provide to be effective on or after September 1, 1954.

Sec. 4. The following positions, officials or employees of the State are specifically excepted from the increases in salaries and wages authorized by this Act:

(a) Those in the State's Judiciary system which are authorized or provided in Article I of Chapter 81, Acts of the 53rd Legislature, Regular Session, for which the salaries are fixed by general laws.

(b) Those for which the salaries are fixed by the Constitution or for which the salaries fixed by general laws were not suspended by Chapter 136, Acts of the 53rd Legislature, Regular Session.

(c) Those for which the annual salary rate paid during the fiscal year beginning September 1, 1953 was \$10,000 or more. It is further provided that no salary increase shall be granted under the terms of this Act which will cause any annual salary rate to exceed \$10,000.

Sec. 5. The salary or wage increases required by this Act shall be calculated on the basis of regular full-time employment. Salaries or wages of part-time employees shall be increased in the same ratio which their part-time employment bears to like full-time employment. Persons paid on the basis of hourly wages shall receive an increase in the proportion that the number of hours worked bears to regular fulltime employment for that type of work.

Sec. 6. (a) For positions authorized or provided in Articles I and II of Chapter 81, Acts of the 53rd Legislature, Regular Session, the salary increases required by this Act shall be paid in their entirety from appropriations made herein from the General Revenue Fund.

(b) Where salaries and wages provided by Article III of said Chapter 81 are paid from more than one fund, the increases in salaries and

wages required by this Act shall be paid from each fund appropriated herein in the same proportion which the salary paid from that fund bears to the total salary.

(c) For positions authorized or provided in Article V of said Chapter 81, the increases in salaries and wages required by this Act shall be paid from the appropriations made herein from the General Revenue Fund in the same proportion which the salary or wages are paid from the General Revenue Fund or Other Educational and General Income. In instances where salaries or wages are paid from funds in the State Treasury and are matched from funds not in the Treasury, the General Revenue Fund shall bear only its proportionate part of the salary increases authorized herein.

(d) It is specifically provided, however, notwithstanding other provisions of this section, that salary increases required by this Act for employees of the A. & M. College Agricultural Extension Service known as County Agents, Assistant County Agents, Home Demonstration Agents, and Assistant Home Demonstration Agents, shall be paid entirely from the General Revenue Fund appropriations made herein.

Sec. 7. The Comptroller is authorized to promulgate rules and regulations to carry out the provisions of this Act. Upon request of the Comptroller, each State department or agency shall certify to the Comptroller on such forms and in such manner as he may prescribe, the amounts of money required to effectuate fully the purposes of this Act in such department or agency.

The Comptroller is also authorized to transfer to the indicated item appropriations in said Chapter 81 or to the indicated appropriation accounts, the amounts of money necessary to provide for the increases in salaries and wages required by this Act.

Sec. 8. There are hereby appropriated a sufficient amount of money from the General Revenue Fund, and sufficient amounts of money from each other fund from which the respective salary or wage is payable under said Chapter 81, to pay the salary and wage increases required by this Act for the fiscal year beginning September 1, 1954. It is specifically provided, however, that in the event the balances and current receipts in other funds are insufficient to provide fully

for the salary and wage increases required by this Act, this Act shall not be construed as appropriating additional moneys from the General Revenue Fund to make up such deficits.

Sec. 9. This Act shall cease to be effective after August 31, 1955.

Sec. 10. If any section, sentence, clause, or part of this Act shall for any reason be held to be invalid, such decision shall not affect the remaining portions of this Act, and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause or part thereof, irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

Sec. 11. The fact that each and every employee of the State did not receive the salary increase authorized and provided by the 53rd Legislature in its regular session, and the further fact that previous salary increases were inadequate to prevent efficient State employees from being forced to leave the State's employment for higher salaries in private industry, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after September 1, 1954, and it is so enacted.

The amendment failed of adoption by the following vote:

Yeas—5

Ashley	Rogers of Travis
Phillips	Willis
Rogers	
of Childress	

Nays—24

Aikin	Lock
Bell	Martin
Bracewell	Moffett
Colson	Moore
Corbin	Parkhouse
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller

Absent—Excused

McDonald	Weinert
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On motion of Senator Rogers of Travis and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

**Committee Substitute
Senate Bill No. 2 on Third Reading**

Senator Rogers of Travis moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Sadler
Kelley	Secrest
Lane	Strauss
Latimer	Wagonseller
Lock	Willis

Nays—2

Rutherford	Shireman
Absent—Excused	
McDonald	Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Presentation of Guests

Senator Rogers of Travis, by unanimous consent, presented students of the government class of Pflugerville High School together with their teacher, Mr. Hendrickson, to the Members of the Senate.

Presentation of Guests

Senator Secrest, by unanimous consent, presented a group of American citizens from the Domiciliary Unit of McCloskey Hospital of Temple to the Members of the Senate.

Presentation of Guests

Senator Sadler, by unanimous consent, presented Senator B. E. Grottum and Mrs. Grottum from Jackson, Minnesota, to the Members of the Senate.

Presentation of Guests

Senator Bracewell, by unanimous consent of the Senate, presented the Honorable Bob Casey, County Judge of Harris County, to the Members of the Senate.

Adjournment

On motion of Senator Hardeman, the Senate, at 11:55 o'clock a. m., adjourned until 10:30 o'clock a. m. tomorrow.

In Memory of
Honorable Roger Mills Carter

Senator Russell offered the following resolution:

(Senate Resolution 15)

Whereas, On the 1st day of January 1954, God in His infinite wisdom, did call from his earthly labors to his eternal reward one of our most highly esteemed men and distinguished jurists, the Honorable Roger Mills Carter, Sr.; and

Whereas, He was born August 13, 1887, son of Colonel and Mrs. P. G. Carter, at Celeste, Texas, where his father, a Confederate Cavalry Officer with General Nathan B. Forrest, settled after the Civil War. The early years of his life were spent in Hunt County. Later, after graduating from Baylor University in 1909, where he was very active in sports, Judge Carter returned to Celeste to become a teacher in the public schools. In 1912, he moved to Sherman to become principal of the Junior High School and later became principal of the Sherman High School where he was head football coach. In 1916, he was married to Miss Zelma Poindexter of Howe, and to this union two sons were born; and

Whereas, Judge Carter, an inveterate reader, an ardent enthusiast of competitive sports and a sincere Christian, has rendered a long and faithful service to the people of his community and the State of Texas. He was a member of the Baptist Church where he taught in the Church School for many years, a charter member of the Sherman Kiwanis Club, a member of the local and State Bar Association, a Woodman of the World and Past Worshipful Master of Travis Lodge No. 117, A. M. & F. M.; and

Whereas, Judge Carter, who was active in the practice of law up until the time of his death and who had an enviable record on the bench as Trial Judge, was admitted to the Bar of Texas in 1916. He was elected County Judge of Grayson County in 1922 and advanced to Judge of the 15th District Court in 1928. Retiring from the bench in 1940, he served as chairman of the Grayson County Democratic Party until death; and

Whereas, The passing of Judge Carter is a severe loss to the entire State of Texas; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we do here and now pay tribute to this Christian gentleman and a distinguished jurist, and that we extend our sincere sympathy to his widow; to his sons, Lt. Colonel Roger M. Carter of Lima, Peru, and Senator Joe D. Carter of Austin, Texas; an esteemed former colleague; to his brothers, J. W. Carter of El Paso, Texas, T. J. Carter of Dallas, Texas, and Josh Carter of Celeste, Texas; to his sisters, Mrs. J. H. McCalman, Caddo, Oklahoma, Mrs. Lake Bruce, Dallas, Texas, and Mrs. John Baird of Los Angeles, California; and to his two grandchildren; and, be it further

Resolved, That a page be set aside in the Senate Journal in honor and in memory of Judge Carter; that a copy of this resolution be sent to each member of the immediate family; and that when the Senate adjourns today, it do so in memory of Judge Roger Mills Carter, Sr.

The resolution was read and was adopted by a rising vote of the Senate.